

REMARKS

Claims 1 – 26 are pending, and claims 1 – 26 stand rejected. Claims 3, 16, 20, and 23 – 26 have been amended. The applicant respectively traverse the rejection and request allowance of claims 1 – 26.

The body of the specification has been amended to correct for the typographical errors identified.

The abstract of the disclosure was objected to under MPEP 608,01(b). The abstract has been amended to correct for this deficiency.

Claims 14 – 26 were objected to because of “misplaced location phrases”. Claims 16, 20, and 23 – 26 have been amended to delete the “misplaced location phrases”.

The specification was objected to as failing to provide proper antecedent basis for the claimed subject matter, i.e. the subject in each of the “misplaced location phrases” (a computer interface, a java interface, an ATM interface, a MPEG interface, and a utility interface). Each of the “misplaced location phrases” has been deleted from the claims. Therefore the antecedent basis problem for the claimed subject matter has been fixed.

Claims 1- 26 are rejected under 35 U.S.C 102(b) as being anticipated by Focsaneanu et. al. (US 5,610,910). “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. V. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed Cir. 1987). Claim 1 requires:

“1. A user communication hub for providing communications services to an end user at a user location, wherein the user communication hub comprises:

a plurality of communication interfaces that are operational to communicate with a plurality of end-user communication devices that are located at the user location and that use a plurality of communications formats, wherein the communication interfaces are operational to convert between the communications formats and an ATM format, wherein at least one of the communication interfaces comprises an analog telephony interface that communicates with a telephone that is located at the user location and that uses an analog telephony format, wherein the analog telephony interface is operational to convert between the analog telephony format and the ATM format;

a Digital Subscriber Line (DSL) interface that is coupled to the communications interfaces and a communication system and that is operational to communicate with the communications system using an ATM over DSL format." (Underline added)

In the current invention, as claim 1 indicates, the conversion between the analog telephony formats and the ATM format, occurs in the user communication hub. The DSL interface is then used to communicate with the communication systems, using ATM. In Focsaneanu the analog telephony signal is converted to ADPCM signals (see column 11, lines 39 – 45). The ADPCM signals are then sent over the line to the access module. ADPCM signals are not the same as ATM signals nor do they have any of the advantages of ATN signals. Focsaneanu does have a network (214) over on the system side of the access module that uses the ATM format. However this is not the format that is used on the CPE side of the system as described by claim 1.

Because Focsaneanu does not send ATM signals from the user site, using the DSL format, as required by claim 1, the examiner has not established the requirements for a prima facie case of anticipation. Therefore Claim 1 is allowable as written.

Claims 2 – 13 depend on allowable claim 1. Therefore claims 2 – 13 are also allowable.

Claim 14 also has the limitation that the analog telephony interface converts to ATM format at the user location, and then sends the ATM over the DSL. The arguments for claim 1 (above) apply to claim 14. Therefore claim 14 is allowable as written.

Claims 15 - 26 depend on allowable claim 14. Therefore claims 15 - 26 are also allowable.

The prior art made of record and not relied upon has been reviewed and is not considered relevant.


Conclusion

Based on the above remarks, the Applicants submit that claims 1 - 26 are allowable. There may be additional reasons in support of patentability, but such reasons are omitted in the interests of brevity. The Applicants respectfully request allowance of claims 1 - 26.

Any fees may be charged to deposit account 21-0765.

Respectfully submitted,

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